

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

MICHAEL GOODWIN,)	
)	
Petitioner,)	
)	
v.)	No. 4:23-cv-00597-RWS
)	
UNITED STATES OF AMERICA,)	
)	
Respondent.)	

MEMORANDUM AND ORDER

This matter is before the Court on petitioner’s motion for appointment of counsel on appeal. On May 15, 2023, the Court granted the government’s motion to dismiss and dismissed petitioner’s petition for writ of error coram nobis. ECF Nos. 4 and 5. On May 24, 2023, petitioner filed a notice of appeal appealing this decision.

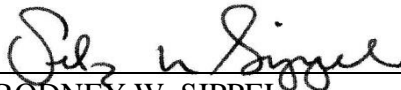
“The filing of a notice of appeal. . .confers jurisdiction on the court of appeals and divests the district court o[f] its control over those aspects of the case involved in the appeal.” *Liddell v. Bd. of Educ.*, 73 F.3d 819, 822 (8th Cir. 1996) quoting *Griggs v. Provident Consumer Disc. Co.*, 459 U.S. 56, 58 (1982). This Court does not have jurisdiction to appoint counsel for petitioner on appeal. It will deny petitioner’s motion without prejudice to refiling in the United States Court of Appeals for the Eighth Circuit.

Accordingly,

IT IS HEREBY ORDERED that petitioner’s motion for appointment of counsel on appeal is **DENIED without prejudice**. [ECF No. 10]

IT IS FURTHER ORDERED that petitioner shall file any future documents or pleadings in connection with his appeal directly with the United States Court of Appeals for the Eighth Circuit.

Dated this 7th day of June, 2023.



RODNEY W. SIPPEL
UNITED STATES DISTRICT JUDGE